

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MOUSSA KOUYATE, on behalf of himself,
all others similarly situated, and the general
public,

Plaintiff,

-against-

BAI BRANDS, LLC,

Defendant.

24-cv-3993 (AS)

ORDER

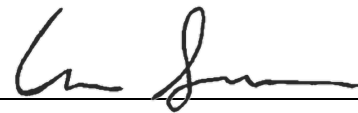
ARUN SUBRAMANIAN, United States District Judge:

For the reasons stated on the record at the September 12, 2024 conference, Defendant Bai Brands, LLC's Motion to Dismiss is GRANTED in part and DENIED in part. The motion is granted as to Plaintiff's intentional misrepresentation claim and request for injunctive relief. The motion is denied as to Plaintiff's unfair and deceptive business practices claim and false advertising claim.

The Clerk of Court is directed to terminate the motion at ECF No. 14.

SO ORDERED.

Dated: September 13, 2024
New York, New York



ARUN SUBRAMANIAN
United States District Judge